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## Death by 9-1-1?

### Complaint sets stage for lawsuit over cellphone incompatibility

By SCOTT STEEPLTON NEWS-PRESS CITY EDITOR

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A wrongful death complaint filed in Santa Barbara County Superior Court alleges cellphone incompatibility with the 9-1-1 emergency system resulted in the death of a 24-year-old mother of one earlier this year in Santa Barbara.

The complaint, filed Nov. 17 on behalf of the parents and 6-month-old son of Jordan Soto, names the state, its 9-1-1 advisory board, California Highway Patrol, the city of Santa Barbara and the Police Department.

Also named is Karen Wong, assistant director for public safety communications for the Governor's Office of Emergency Services. Appointed by Gov. Brown, she "oversees the strategic framework and tactical direction for the state's public safety communications systems including California's 9-1-1 network infrastructure supporting 459 public safety answering points."

According to the complaint, Ms. Soto collapsed on the floor of her parents' home on Tinker Way in Santa Barbara, where she and her son, Dominic Dash Soto, also lived. Someone called 9-1-1 via cellphone, was routed to a call center in Ventura and provided the dispatcher with the address and information about a medical emergency.

After the call was re-routed to Santa Barbara for dispatch of emergency medical personnel, the local dispatcher provided an address on Cedar Lane, five miles away to the east.

"The medical response team did not arrive until at least 20 minutes after the initial cellphone emergency 9-1-1 call," according to the complaint. "Although Jordan Soto still had a pulse at the time emergency personnel arrived, she subsequently died at the hospital that same night."

Mark Peacock, the Newport Beach attorney representing the family, which includes Jordan's mother, Cindy Jacobs-Soto, and father, Ruben Soto, told the News-Press the 9-1-1 system has not kept up with technology.

"Everybody used to have landlines. You could call 9-1-1 and they could tell exactly where you're at. But there's been a transition from landline to cells, and about 80 percent of 9-1-1 calls are cells," he said.

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Cindy Jacobs-Soto with a photo of her daughter, Jordan Soto, 24, holding her son Dominic Dash Soto.  
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The first 9-1-1 system in California was installed in the Merced County town of Gustine in March 1970. Like those that followed, the system routed calls - all via landlines - to local dispatchers who could see the address of the phone.

Cellphones changed all that because the address associated with a phone number was no longer necessarily anywhere near the location of the emergency.

Officials with the state of California responded by routing cellphone 9-1-1 calls through the CHP, then to local dispatch centers.

Next came a less cumbersome system that accurately reflected the cellphone's location, thus reducing delays and eliminating mistaken addresses.

The complaint claims that officials returned to the CHP-assisted system, a decision "not made for any legitimate public health or safety reason" but the result of "bad-faith decisions" and gross negligence.

"A dispatch or receiving center should be able to identify where the call is coming from," said Mr. Peacock. "They had all these things working, and for some unknown reason, it gets cut. Suddenly they take away this safety net and this happens."

The complaint lays out two causes of action, wrongful death and infliction of emotional distress. Both are predicated on the defendants having implemented a cellphone-compatible 9-1-1 system, establishing a relationship with the public "whose need for emergency medical response was communicated by way of cellphone" and then, through bad faith or gross negligence, failing to maintain and operate the new 9-1-1 system in violation of the state Health and Safety Code.

The bad faith or gross negligence of defendants, according to the complaint, caused the delay in response time, which resulted in Jordan's death.

Santa Barbara City Attorney Ariel Calonne told the News-Press he didn't have a copy of the complaint, and could not comment.

The News-Press obtained a copy at the County Courthouse.

The complaint seeks a jury trial for general and special damages, reimbursement of medical expenses, loss of income and earning potential, and other costs.

Mr. Peacock says the action isn't just about making whole a family who lost a daughter.


"What about the Jordans who live?" he said. "Do they have medical problems because they waited 20 minutes for emergency help to arrive?"

"It's a tough battle," he continued. "If nothing else, if we can be part of a change in the 9-1-1 system to prevent these things, that's the socially responsible thing to do."

The attorney recalled a recent trip to Las Vegas, where he was riding in a cab equipped with a tablet computer that knew the car's whereabouts and suggested nearby attractions.

"A cab in Vegas knows where you are. Why can't (emergency dispatchers) have that?"

email: [ssteepleton@newspress.com](mailto:ssteepleton@newspress.com)



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